

REMARKS

Claims 1, 4-23, 25 and 26 are currently pending in the subject application and are presently under consideration. Claim 26 has been amended as shown on pp. 2-5 of the Reply. Applicant's representative notes with appreciation the indication that claims 11-17 and 25 would be allowable if rewritten in independent form to include all limitations of the base claim and any intervening claims. Applicant's representative reserves the option to recast these claims in independent form at a later date, if necessary.

In addition, Applicants' representative thanks the Examiner for the courtesies extended during the telephonic interview on February 6, 2008, between Examiner Chante Harrison and Applicants' representative Bradley Spitz. During the interview, the rejection of claims 1, 3-10, 18-23, and 26 under 35 U.S.C. §102 was discussed, and the art of record was compared to the limitations of the subject claims.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 3-10, 18-23 and 26 Under 35 U.S.C. §102(b)

Claims 1, 3-10, 18-23 and 26 stand rejected under 35 U.S.C. §102(b) as being anticipated by Rowe *et al.* (U.S. 6,073,148). This rejection should be withdrawn for at least the following reasons. The cited reference does not disclose all features recited in the subject claims. "For a prior art reference to anticipate, 35 U.S.C. §102 requires that '*each and every element*' as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.'" *In re Robertson*, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

Independent claim 1 (and its corresponding dependent claims) relates to a system for configuring display layouts. To reduce the required amount of complexity and computing resources for layout generation, the system recited by independent claim 1 allows the generation of layout information for respective display items (*e.g.*, windows or other graphical objects) to be selectively deferred in a just-in-time manner to a time at which the respective items become visible in the display. Further, the system recited by independent claim 1 can determine whether and to what extent layout creation for an item should be deferred based on the complexity of the

item, which can be expressed by an associated flag.

Independent claim 1 was amended in response to a previous Office Action dated July 9, 2007, to incorporate limitations deemed allowable by the Examiner in said previous Office Action. Accordingly, to the above ends, independent claim 1 recites: *A system for rendering a display, comprising: a drawing component that determines visible items to a display; and a logic component that selectively defers layout of the visible items to the display in a just-in-time manner, the logic component determines complexity of the visible items in order to defer the layout, and the logic component associates a flag with the visible items, the flag being true for complex items and the flag being false for non-complex items.* The cited reference does not disclose such novel features.

At Pages 2-3 of the present Office Action, the Examiner asserts that Rowe *et al.*, a reference made of record in the previous Office Action dated July 9, 2007, discloses all limitations of claim 1. Rowe *et al.* relates to techniques for providing and displaying a document on a computing device. (See abstract; col. 3, ll. 48-51). Rowe *et al.* discloses that a document can be accessed in an interleaved manner, such that portions of a document that generally have more relevance or usefulness to a user can be obtained before other, less relevant or useful portions. For example, Rowe *et al.* discloses that text can be obtained prior to images or other objects to facilitate a quick determination by a user regarding usefulness of a document. (See col. 13, ll. 13-30).

However, Applicants' representative submits that the interleaving disclosed by Rowe *et al.* is not equivalent to, nor does it suggest, *selectively deferring layout of visible items in a just-in-time manner or determining complexity of visible items in order to defer their layout*, as recited by independent claim 1. More specifically, rather than selectively deferring layout of items, the interleaving process disclosed by Rowe *et al.* follows a predetermined order (col. 13, ll. 31-36). Rowe *et al.* additionally discloses that the size of a page can be compared to a predetermined threshold such that interleaving is only performed for pages having a size above the threshold. (See col. 20, ll. 55-67). However, this comparison does not form a basis for *selectively deferring layout of visible items*; rather, as a result of the comparison, generation of a layout for a document follows either a first predetermined order (*i.e.*, interleaved in the order specified by col. 13, ll. 31-36) or a second predetermined order (*i.e.*, non-interleaved). Further, this comparison is performed prior to any layout generation, as opposed to the *just-in-time* layout

generation recited by independent claim 1.

Rowe *et al.* further discloses techniques for handling of “shared objects,” which are defined as objects that are referenced multiple times of a document. (*See, e.g.*, col. 7, ll. 44-51; col. 14, ll. 15-29). Thus, determining whether an object is a “shared” object as disclosed by Rowe *et al.* involves only a determination of the number of times the object is referenced in the document and not a *determination of complexity of visible items* as recited by independent claim 1. Further, Rowe *et al.* discloses only that a shared or non-shared determination for an object can be used to determine whether the object should be interleaved or non-interleaved in a document (*see* col. 18, ll. 35-46). As noted above, this determination does not form a basis for *selectively deferring layout of visible items in a just-in-time manner* as recited by independent claim 1.

In addition, independent claims 20, 21, and 26 were amended in response to the previous Office Action dated July 9, 2007, to incorporate similar limitations regarding deferral of layout generation for a visible item based on a complexity determination for the visible item. Thus, for the reasons stated above regarding such limitations, Rowe *et al.* does not disclose all limitations of independent claims 20, 21, and 26. Accordingly, Applicants’ representative respectfully requests that this rejection be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP538US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731